UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/CONF.157/PC/73
20 April 1993

Original: ENGLISH

WORLD CONFERENCE ON HUMAN RIGHTS
Preparatory Committee
Fourth session
Geneva, 19-30 April 1993
Item 6 of the provisional agenda

REPORT ON OTHER MEETINGS AND ACTIVITIES

Report of the Secretariat

1. The General Assembly, in its resolution 46/116, requested the Secretary-General to report to the Preparatory Committee on progress made on meetings that had been organized under the auspices of the United Nations Programme pursuant to General Assembly resolution 45/155.

2. The attention of the Preparatory Committee is drawn to the attached report of the Seminar on appropriate indicators to measure achievements in the progressive realization of economic, social and cultural rights, held at the Palais des Nations at Geneva from 25 to 29 January 1993.

3. The Seminar was held in accordance with resolution 1991/18 of the Commission on Human Rights and decision 1991/235 of the Economic and Social Council. It was convened at the recommendation of the Special Rapporteur on the realization of economic, social and cultural rights, who stated that indicators could "play diverse and useful roles in assessing the realization of economic, social and cultural rights, ... in providing quantifiable measurement devices which will be particularly helpful in measuring the progressive realization of these rights over time, in revealing the extent to which certain rights in practice either are or are not enjoyed and in providing a method for determining problems encountered by States in fulfilling these rights". Because of the nature of its objectives, the Seminar was considered a satellite meeting for the World Conference.

4. The Seminar concluded that the first priority was to identify and clarify the content of the various rights and obligations. Only then would it be possible to identify the most appropriate way to assess progressive achievement, which may or may not involve the use of statistical indicators. The Seminar also concluded that monitoring the performance of States in the progressive realization of economic, social and cultural rights requires new approaches in data collection, analysis and interpretation which focuses on the status of the poor and disadvantaged groups.

Report of the Seminar on appropriate indicators to measure achievements in the progressive realization of economic, social and cultural rights

(Geneva, 25-29 January 1993)

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INTRODUCTION

1. In accordance with resolution 1991/18 of the Commission on Human Rights and decision 1991/235 of the Economic and Social Council which, respectively, requested for and authorized the holding of an expert seminar on the subject of appropriate indicators, the Centre for Human Rights organized the Seminar on appropriate indicators to measure achievements in the progressive realization of economic, social and cultural rights, which took place at Geneva from 25 to 29 January 1993.

2. The initial request for the holding of such a seminar had been made by the Sub-Commission on Prevention of Discrimination and Protection of Minorities by its resolution 1990/16, on the basis of the recommendations that the Special Rapporteur on the realization of economic, social and cultural rights had made in his first progress report (E/CN.4/Sub.2/1990/19).

3. In view of the nature of its objectives, the seminar was considered a satellite meeting to the World Conference on Human Rights.

4. A number of experts from different regions of the world with particular expertise in the field of indicators and human rights were invited to prepare background papers and to participate in the seminar. Members of human rights treaty bodies were invited to participate as were a number of United Nations organs and specialized agencies. A full list of participants can be found in annex I.

5. On behalf of the Secretary-General, Mr. Ibrahima Fall, Director of the Centre for Human Rights, opened the seminar.

6. Mr. Clarence Dias was elected Chairman and Mrs. Audrey Chapman was elected Rapporteur. On the proposal of the Chairman, it was agreed that the meetings would be chaired by co-Chairmen, for which function the following participants volunteered: Mr. Fuenzalida-Puelma, Mr. Goldstein, Mr. Muterahejuru, Mr. Srinivasan, Mr. Turok and Mr. Woodfield.

7. At its 1st meeting, on 25 January the seminar adopted the following agenda:

Agenda

1. The use of indicators within the field of human rights.

   (a) Discussion of the precise linkages between human rights and the use of indicators, including an historical analysis, conceptual matters and methodologies;

   (b) Evaluation of the current level and manner of use of indicators within the various human rights organs of the United Nations;

   (c) Discussion of the most significant hurdles that prevent or limit the use or applicability of indicators within the human rights area and in particular for the measurement of economic, social and cultural rights. Formulation of viable solutions to these long-standing problems.

2. Recent developments in the field of indicators within the United Nations system and with particular relevance to the issue of economic, social and cultural rights such as the United Nations Development Programme Human Development Report; the United Nations Research Institute for Social Development research programme on qualitative indicators of development; United Nations Children's Fund State of the World's Children; and the World Bank World Development Report.

3. Setting ideal indicators for each of the substantive rights found in the International Covenant on Economic, Social and Cultural Rights drawing upon the work on indicators that has been carried out by the United Nations and its specialized agencies, including:

(a) The right to work (art. 6);

(b) The right to just and favourable conditions of work (art. 7);

(c) The right to join and form the trade union of one's choice (art. 8);

(d) The right to social security (art. 9);

(e) Protection of the family, mothers and children (art. 10);

(f) The right to adequate food (art. 11);

(g) The right to adequate housing (art. 11);

(h) The right to the enjoyment of the highest attainable standard of physical and mental health (art. 12);

(i) The right to education (arts. 13 and 14);

(j) The right to take part in cultural life and to enjoy the benefits of scientific progress and to benefit from the protection of the interests of authors (art. 15);

(k) The concept of participation (art. 13 (1) and 15 (1)).

4. Discussion of the existence and the need for core indicators for each of the substantive rights.

5. Discussion of the need for entirely new indicators in assessing the realization of economic, social and cultural rights.

6. Ways to institutionalize the use of indicators within the human rights programme of the United Nations Centre for Human Rights. Standardization and coordination in the use of indicators within the United Nations as a whole.

8. A list of the background papers (HR/GENEVA/1993/SEM/BP.1-28) prepared by the participants can be found in annex II, along with a list of the conference room papers that were issued for the seminar (HR/GENEVA/1993/SEM/CRP.1-2).

9. During the seminar a wide range of issues were discussed and a variety of opinions expressed, which did not necessarily reflect the policies of the organizations the participants represented. The present report contains a summary of the points made during the debates; for a fuller and more detailed picture of the matters dealt with during the seminar, the reader is referred to the background papers presented to the seminar.

I. INDICATORS IN THE FIELD OF HUMAN RIGHTS

10. In his first progress report (E/CN.4/Sub.2/1990/19) the Special Rapporteur on the realization of economic, social and cultural rights concluded that indicators could play diverse and useful roles in the realization and assessment of economic, social and cultural rights. He thought that, in their most useful form, indicators could provide a means of measuring the progressive realization of economic, social and cultural rights and a method for determining difficulties or problems encountered by States, as well as assist with the development of "core contents" of economic, social and cultural rights. Indicators could also assist in revealing the extent to which certain rights were and were not enjoyed in practice and in providing a means to measure and compare performance of individual countries.

11. Having identified a number of limitations in the use of indicators and having discovered that a large range of indicators were already being used in the United Nations system, the Special Rapporteur suggested the holding of an expert seminar to further explore the use of indicators in the field of economic, social and cultural rights, to provide the opportunity for a broad exchange of views among experts in relevant fields and to contribute to strengthening the coordination among United Nations bodies and agencies in this regard.

12. Following the suggestions of the Special Rapporteur, the seminar decided that it would focus on developing indicators to assess the progressive realization of economic, social and cultural rights and, more specifically, to monitor States parties' compliance with their obligations under the International Covenant on Economic, Social and Cultural Rights. Before this could be done, it was necessary to explore a number of crucial issues relevant to the field of economic, social and cultural rights. These included the obligations of the State, the nature of human rights, the international economic situation and the differences in perception between development experts on the one hand and human rights experts on the other hand.

13. While it was stated that the focus of the seminar should be on economic, social and cultural rights, following the suggestions of the Special Rapporteur, it was underlined that these rights should always be viewed in the context of and never be separated from civil and political rights and that a holistic approach was therefore indispensable. It was also stated that the realization of economic, social and cultural rights should be viewed in its national and international context and that many external factors could influence States' non-compliance with their obligations under the Covenant.

In this respect, reference was made to the negative effects of some of the conditions accompanying programmes of structural adjustment as well as to the prevailing international inequalities.

14. It was suggested that although the seminar would concentrate on States parties to the International Covenant on Economic, Social and Cultural Rights, the outcome of the seminar should also address States which were not parties, intergovernmental organizations and non-State entities. Its findings should be used to sensitize and influence policy-making organs and to create public awareness.

15. Some participants thought that indicators which only assessed the realization of economic, social and cultural rights formed too much a part of the development agenda and that other aspects, such as violations and compensation of victims, should not be excluded from the discussion. Furthermore, indicators should address the obligations of States to protect, respect and fulfil human rights as well as the role and responsibilities of non-State actors.

16. Some participants felt that one of the priority tasks of the seminar would be to develop qualitative core human rights indicators, which could measure non-discrimination and actual realization of economic, social and cultural rights. Many felt the need for indicators that could depict real life and deal with the causes of international structural inequities instead of only describing a static situation. Others preferred to focus on indicators that would address immediate needs, rather than addressing structural causes, which the United Nations and its specialized agencies could not do very much about because of their limits in terms of mandates. Some hoped that indicators could assist in setting human rights policy frameworks and in reviewing the adequacy of such policies. It was also hoped that indicators could assist in addressing the lack of clarity of human rights concepts such as rights, realization, performance, violations, failures and acts of omission. Finally, the wish was expressed that the seminar would be in a position to bridge the gap between the differences in perception of human rights-based indicators and development-based indicators. One way of doing so would be to identify principles on the basis of which human rights indicators could be developed, such as security and dignity.

A. Human rights indicators

17. It was stated that measuring human rights was a highly qualitative and subjective exercise. Developing human rights indicators in the field of economic, social and cultural rights should be done on the basis of value-based principles and in accordance with a proper human rights perspective which would entail emphasis on the integrated interdependent nature of all human rights. Human rights indicators should be based on respect for human dignity, equity, social justice, non-discrimination, freedom of choice and empowerment and should focus in particular on disadvantaged and vulnerable groups, victims of human rights violations as well as others excluded from human dignity. In this respect it was underlined that human rights indicators should be disaggregated and moulded in a time-series form. Comparative studies would have to supplement the latter if these indicators were to go beyond merely describing deficiencies.

18. Many participants emphasized the fact that human freedom encompassed all human rights and thus should also be an essential component of human rights indicators in the field of economic, social and cultural rights.

19. It was suggested that the legal components of the human rights instruments could serve as a framework for developing indicators and principles of human rights.

B. Interdependence of all human rights and inner-interdependence of economic, social and cultural rights

20. It was reiterated that economic, social and cultural rights could never be dissociated from the civil and political rights context, as was emphasized for the first time by the General Assembly in its resolution 32/130 of 16 December 1977.

21. Some participants referred to the correlation that existed between the denial of political and civil rights and socio-economic deprivation, the latter being a result of severe injustice in a society. A Government that deprived its population of political and civil rights almost automatically deprived parts of its population, usually politically weak groups such as minorities, of their economic, social and cultural rights. Others stated that even if a Government scored high on a socio-economic status, this was not necessarily a result of its intention to respect economic, social and cultural rights. Many participants thought that material improvements did not automatically imply an improvement in the quality of life. In industrialized countries an increasing rate of unhappiness, homicide and suicide could be detected. The need for qualitative indicators which could reveal people's own perceptions and depict reality was emphasized.

22. The inner-interdependence of the economic, social and cultural rights was further emphasized and it was thought to be of primary importance that human rights indicators be capable of reflecting this. Lack of adequate food hindered the learning ability of young children whereas lack of adequate housing negatively affected health conditions. A correlation existed between the performance level in economic rights and of cultural rights. Others stressed the fact that in reality one right was often realized to the detriment of another right.

C. Collective rights

23. Many emphasized the need to develop indicators for collective rights and to refrain from focusing only on individual rights, which participants believed was a result of the preponderant emphasis on political and civil rights which had so far prevailed in human rights discourse. It was suggested that constructive use be made of collective rights, as additional to the individual rights of disadvantaged sectors in society.

D. Universality versus cultural specificities

24. Some participants thought that the understanding of what constituted the realization of economic, social and cultural rights varied from culture to culture and between geographical regions and that further standard-setting in

this field might be warranted. They warned that a mere mechanic application of universal standards risked losing sight of reality. The universality of human rights should always take into account the specificities and relative measures prevailing at a regional or national level. What a person in the North perceived as an adequate standard of living was not the same as for a person of the South. The right to adequate housing meant something different for nomadic peoples than for an urban population. In some parts of the world academic freedom was put in jeopardy as a result of privatization of institutions, whereas elsewhere government action was the direct cause.

25. It was questioned what unemployment rates meant in statistics where over 50 per cent of a population worked in the informal sector or was engaged in subsistence farming. In this light it was argued that certain universal indicators should be accompanied by special indicators reflecting particular circumstances, which could be developed on the basis of regional priorities. It was also suggested that quality indicators could help in identifying the needs of particular disadvantaged groups within a national and regional cultural context and in prescribing standards and measuring the achievements of these standards in such a context. Others maintained that human rights standards were universally applicable and that if further standard-setting were to be pursued this should be done on the basis of the principle of universality.

E. Inviolable postulates

26. A major theme that was addressed throughout the meeting centred on the potential use of inviolable principles or postulates, which stemmed from commonalities of perception in the field of human rights and which entailed principles of non-discrimination, the right to information, equality in land relations, democratic participation, gender equality, the right to a healthy living environment, economic parity, the maintenance of cultural identity and skills and the role of and nature of governance. It was argued that these principles could be recognized by States as organizing principles of policy. They could equally provide a possible foundation for judgement by the United Nations and other bodies entrusted with monitoring and determining States' compliance with the obligations to respect, protect, promote and fulfil and for ensuring these rights at the national level.

F. Human rights criteria

27. Widely discussed was the use of criteria, which in the opinion of many would be a better way of assessing compliance with the International Covenant on Economic, Social and Cultural Rights. Criteria stemming from the inviolable postulates would be a more appropriate and legally consistent means of assessing compliance with economic, social and cultural rights than would be possible with indicators. Human Rights criteria could give a more accurate depiction of the state of human deprivation than would be possible with indicators. It was also thought that the use of these criteria would enhance the ability of non-governmental organizations to monitor, evaluate and understand ongoing breaches of human rights standards.

28. Others argued that the use of criteria could not be seen as an alternative to the use of indicators. In their view criteria were principles or standards by which something was assessed or judged and that indicators were necessary to measure the application of such standards in practice.

G. Human rights indicators and development indicators

29. In general, it was felt that indicators that were used to assess or plan development or to understand basic trends were essentially different from those addressing human rights. A distinction should be made between objectives of development and those of human rights promotion.

30. It was stated that although there was a difference between development indicators and human rights indicators, it was necessary to make use of development indicators to derive second-order indicators that could reveal actual human rights performance. With respect to the obligation to fulfil, indicators could assess three situations: first, where no policy, no law and no prescription existed; second, where a legal infrastructure existed but was not implemented and last, where laws were implemented but in a discriminatory manner.

31. Others stated that country performance indices could be useful in assessing respect for human rights, but that achievements in prescriptive standards over time would probably be a better way to assess human rights performance.

32. It was underlined that in many developing countries, human rights in terms of economic, social and cultural rights were understood as a reasonable and desirable degree of social justice. Therefore, it was felt that the more human rights indicators would be converted towards understandable modes of social justice the better the seminar would be in a position to converge the differences in perception.

33. Many participants expressed their concern that if in assessing the realization of economic, social and cultural rights use were to be made of development indicators, this could imply a return to the basic needs approach or minimal threshold approach. Despite the value these approaches had had in the past, they had neglected the crucial importance of Governments' obligations in the field of economic, social and cultural rights.

II. ECONOMIC, SOCIAL AND CULTURAL RIGHTS AND THE ROLE OF THE STATE

A. State obligations

34. It was stated that while focusing on States parties' compliance with the International Covenant on Economic, Social and Cultural Rights, monitoring of States' performance should not only be limited to the realization of those rights, which was thought to fall under the obligation to fulfil, but also to include the obligation to protect and respect. Measuring progressive realization necessarily drew on global indicators and aggregated data which would lead to an inadequate picture from a human rights point of view.

35. Concerning the obligations of conduct or performance, it was stated that, contrary to the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights left wide margins of discretion for the States parties in fulfilling these obligations, because of the wording "progressive realization" used in article 2 (1) of the Covenant. Actual performance could in fact only be determined by the results in the realization of those rights. It was thought that indicators could play a role in assessing obligations of result but not in assessing obligations of conduct.

36. Some felt that the discussion ought not be limited to the obligations of States because that excluded the subject of the structure of society. Also the role of the State was changing. It was increasingly leaving aside its traditional responsibilities in the field of welfare. The reorganization of the State should be taken into consideration along with the establishment of other mechanisms which had resulted in less State intervention.

37. Others pointed to the weaknesses in the trias politica of many States and emphasized the need to address the role of non-State actors. In many developing countries, fair play by the State did not come from the mere existence of a law, but from its utilization and its suo moto execution. This often constituted the weakest link of a State. Legal systems were not able to address economic battles which were fought mainly in the political arena and it was therefore the political process and the public policy development process that should be addressed. The absence of pressure groups in many developing countries had to be considered as both the cause and the effect of the hierarchical relationship between the State and its population. In many industrialized States, pressure groups could correct a Government's non-performance.

38. Some participants wondered whether human rights paradigms which were State-centred should not be redefined as people-centred paradigms.

B. Breaches of States' obligations

39. It was stated that one of the key tasks of the seminar should be to identify breaches of minimum standards of performance and breaches of States' obligations under the International Covenant on Economic, Social and Cultural Rights so that they could be addressed and redressed, through legal remedies, accountability processes, compensation mechanisms, mediation and technical and financial assistance.

40. The terms violations, denials, neglect, discrimination, deprivations, abuses, breaches and infringements were each discussed as possible terms to describe both acts and omissions by Governments.

41. It was thought that one of the most persistent and obvious, but not often acknowledged, barriers to the realization of economic, social and cultural rights was the lack of political will of Governments to address violations and breaches of human rights.

C. Ratifications and reservations

42. Many participants thought that the level of access to and ratification of international human rights treaties was an indicator of a Government's desire to respect human rights. It was, however, immediately added that the intentions of a Government were often different from reality. It was questioned how the reservations that were made by some States when acceding to the Covenant could be used as an indicator.

D. Role of States in collecting data

43. The political will of Governments to collect data in the field of human rights was emphasized, as was the need for disaggregated data.

44. Some participants thought that collecting human rights data would be too important to be left to Governments and that there was an absolute need for participation of non-governmental organizations to collect raw materials. Many pointed out that in reality others already often processed and assessed data, such as research institutes, international organizations and independent researchers, sometimes even to the extent that the results were untraceable to national States.

45. Many indicators which the meeting deemed potentially useful, and in many respects indispensable, towards monitoring States' compliance with the International Covenant on Economic, Social and Cultural Rights, such as non-discrimination, access to land and income distribution, were currently not available or not even collected or considered as such either by States or by the international agencies.

46. Many participants argued that national capacities for data collection should be strengthened. One way of doing so was the way the United Nations Children's Fund assisted States in preparing for their National Programmes of Action for Children, in follow-up to the 1990 World Summit on Children.

III. SETTING IDEAL INDICATORS FOR ECONOMIC, SOCIAL AND CULTURAL RIGHTS

47. Initially, a debate was foreseen on setting ideal indicators for each of the substantive economic, social and cultural rights; however, with a few exceptions, the debate concentrated largely on conceptual issues. From the summary below it may appear that certain common indicators appear to exist in the field of economic, social and cultural rights, such as the right to livelihood, equality of access and non-discrimination. In addition, it seems that indicators could assist in assessing the realization of economic, social and cultural rights at three levels: (a) at the level of inputs or (legal) conditions; (b) at the level of throughputs or activities, together with (a), also referred to as process indicators, (c) at the level of outputs or outcomes, also referred to as impact indicators, which measure the actual results.

A. Right to work

48. It was stated that the right to work had clear and unequivocal contents and lent itself to the use of indicators for it consisted of a number of

component rights, most of which were capable of being monitored. Others thought that a definition of the right to work had been evaded persistently for decades and that the concept of the right to work had been abused in various settings, mainly by enemies of trade union rights. Many emphasized that when discussing the right to work, the right to livelihood should be addressed, especially where it concerned the subsistence sector of the economy.

49. One of the core obligations under the right to work was stated to be the duty of States to provide full and productive employment under conditions of safeguarding fundamental political and economic freedoms of the individual. It was further thought that for promoting the right to work, particular emphasis had to be put on redistribution between the haves and the have nots as well as on the growing external ecovandalism. Two other aspects had to be prioritized: freedom from slavery and forced labour as well as the promotion of worker health and safety conditions. Finally, it was stated that it should be seriously considered whether "development", as practised by some international development agencies and the international financial institutions (IFIs) was a violation of economic, social and cultural rights. In that respect there was a strong plea for the IFIs to develop human rights-based indicators.

50. A wide variety of possible indicators was suggested which could be used for monitoring the progressive realization of the right to work, such as labour force participation rates, including access to the labour market; associational rights and the right to organize; worker health and safety conditions; elimination of jobs through structural adjustment and privatization programmes; employment rates, including terms and conditions of employment as well as the existence of export processing zones. It was finally suggested that other rights relating to the right to work were the right to migrate, the right not to work, the right to seek work and the right to nationality.

51. Caution was expressed in using the informal sector as the answer for the realization of the right to work; it would be more appropriate to talk about formalizing the informal sector, instead of the other way round.

B. Right to just and favourable conditions of work

52. Respect for the dignity of labour, especially of the marginalized people who worked in subsistence agriculture, the informal sector or at home should be a leading principle in developing possible indicators in the field of just and favourable conditions of work. Other ways that were suggested to measure the progressive realization of this right were to assess the contracts of services, which identified the obligations of employers and the duties of workers, and to assess the rights of people not in formal employment, as well as job seekers. Other indicators that were suggested were rates and payments of remuneration, including coverage of requirements.

53. It was stated that the right to just and favourable conditions of work had to be seen in a global context, and more in particular in view of the conditions prevailing in the existing economic order which was inequitable in itself. Many participants expressed their concern about the status of human

rights, or violations thereof, of people working in the informal sector who suffered from a lack of health care, credit facilities and forced evictions. Further studies from a human rights perspective in this field were requested.

54. In all approaches the need for protection against discrimination was emphasized as well as the institution of an appropriate legal framework.

C. Right to form and join trade unions

55. On the one hand, it was claimed that it was not necessary to linger over questions of definitions of trade union rights because of the vast jurisprudence which was developed, especially by the International Labour Organisation, over the years on these rights. On the other hand, some participants thought that further clarification was needed to understand whether "trade union" should be approached in the narrow sense of the word or whether other types of organizations should be taken into consideration.

56. It was thought that, contrary to many other rights contained in the International Covenant on Economic, Social and Cultural Rights, trade union rights were not subject to the "progressive realization" clause. Furthermore, it was thought that trade union rights were universal and to be enjoyed by all workers, regardless of the social system or stage of development in a particular country.

57. Trade union rights could be regarded not only as basic human rights but also as building blocks for the realization of other economic, social and cultural rights, and should be considered critical to securing the link between democracy and development. On the other hand, it was stated that in some cases Governments considered trade union rights as counterproductive in the realization of other economic, social and cultural rights; this needed further investigation.

58. It was stated that the right to establish and join a trade union of one's choice was first of all dependent on the right to organize, which could be used as an indicator. Other indicators were free-functioning trade unions, the right to strike and the right to collective bargaining. These indicators should be developed at three different levels: the legal existence of these rights, the exercise of these rights facilitated by the existing conditions and the actual outcome which could reflect the existence and actual realization of these rights. Indicators for the first two levels would vary from the existence of national legal provisions to the identification of barriers which would prevent workers from exercising the right to form and join trade unions. Indicators of outcome would measure, inter alia, whether trade unionism was healthy and flourishing and whether unions were run democratically. Participants warned against the tendency to use unemployment as a proxy indicator for the non-realization of trade union rights, which in their view could lead to an unjustified weakening of union power.

D. Right to health

59. It was stated that a certain conceptual confusion existed where the expressions "right to health", "human rights to health", "human right to health care" and "right to health care" were used interchangeably. It was

suggested that the "(human rights) right to health" consisted of the right to health care as well as the right to healthy conditions, which implied that a person's health was inseparable from the environment in which the person lived.

60. Some participants argued that the right to health should be viewed as a composite right, consisting of the right to medical care and attention, the right to embedded social security arrangements, the right to functioning social services, the right to family planning services and the right to equitable access. Others emphasized that the right to health was embodied by the principle of equity in health status.

61. It was further stated that most health problems were related to poor housing conditions, unemployment, poverty and inadequate nutrition, pollution of air, water and food, brutalization and deprivation amongst children and poor quality of health care.

62. The right to health was clearly a legal phenomenon but should be seen in a political context, which largely determined the priorities for its implementation. Important factors to be considered in relation to the implementation of the right to health would be the assessment of the existence of social values in a given society, the level of socio-economic development and the level of political development.

63. Participants agreed that the notion of health implied more than the absence of illness and that it would be useful to follow the World Health Organization's definition of health which is "a state of complete physical, mental and social well-being". WHO's strategy of Health for All by the Year 2000, which was adopted by the World Health Assembly in 1977, stated, inter alia, that "the main social target of governments and WHO in the coming decades should be the attainment by all citizens of the world by the year 2000 of a level of health that will permit them to lead a socially and economically productive life".

64. Although in some countries health policies promoting equitable distribution of health resources had been developed, implementation proved to be difficult because of geographical inaccessibility or war. Both the health status and the availability of health care could be measured within the strategy of Health for All by the Year 2000 with its global indicators, on the basis of data that were commonly available at national and subnational levels.

65. As for the potential use of indicators, it was stated that there was an enormous amount of data already available which, however, needed to be analysed from a human rights angle. Indicators should not only be related to medical care but should cover prevention of illness and promotion of health. One task of indicators would be to set the context within which an episode of illness occurred. Data should cover health-affecting environmental issues such as water supply, sanitation, pollution and degradation of the environment.

E. Right to social security

66. Social security was thought to be one of the most striking examples of economic, social and cultural rights which had to take into consideration national or regional cultural specificities or might even have to be culturally redefined.

67. It was questioned whether it would not be necessary to reconsider the relevance of the concept of the right to social security in the context of developing countries and to consider whether it would perhaps be preferable to protect existing traditional social security systems such as the systems of common property resource management, of self-provisioning livelihoods or of extended families instead of focusing primarily on the State's obligation to ensure social security.

68. It was stated that in some developing countries the working force of the population contributed to a fund, with a counterpart fund contributed by employers. The system had basic inequalities and women were in a particularly disadvantaged position. They were less likely to benefit from their contributions to the social security system than men, because of their high turnover rate as a workforce and because they were younger and stronger and thus also indirectly subsidizing men. Further discrimination existed for overseas workers, the majority of whom were women, who were taxed at a high rate but who could not benefit from any social security.

69. It was pointed out that such a system reflected the existing social stratification and resulting inequities in the political and economic situation. It was also pointed out that in many societies, especially in the South, there was no social security related to old-age benefits and unemployment benefits, which in itself could serve as an indicator. Such inequities led to further regressive effects: not only did the benefits go to the more affluent, but also the surpluses of benefit funds were invested in infrastructure to which the less affluent had no access, such as hospitals and houses.

70. Possible indicators that were suggested to measure implementation of the right to social security were centred on protection of the elderly, access to health care and protection against unemployment. It was suggested that for a longer-term solution, social, political and economic inequalities should be addressed at a structural national and international level; this could only be achieved through the empowerment of all members of society.

F. Protection of the family, mothers and children

71. A wide variety of issues were discussed under this topic, ranging from an effective legal framework for the protection of this right to possible indicators. First, it was stated that Governments had been entrusted with fostering, defending and preserving the observance of the responsibilities of all family members and the rights of mothers and children. It was stated that not only was it necessary that States should be willing to sign and ratify relevant international conventions, but that incorporation of these principles in national legislation was of primary importance. In this respect, one of the authors of one of the background papers referred to the fact that the

constitution in her country did not contain a non-discrimination clause based on gender, which, could be seen as an indicator of the Government's unwillingness to protect the family and women. As a result, discrimination against the family, women and children could not be legally challenged.

72. Rights governing the protection of families, mothers and children consisted of security and integrity rights of the individual and socio-economic rights. For the latter, access to socio-economic desiderata functioned both as a provision by the State and as social justice within families. As for the former, it was stated that the legal recognition of a family through marriage protected women and children. In many types of traditional marriage, however, the woman was not protected. Especially in poor rural areas, child betrothal was practised and women were forced to marry without their consent. According to some cultural practices, women had to enter marriage from a disadvantaged position (young, no income, less education) which ensured their subordinate role. Also, some customary laws did not provide for women to own property which, in the case of dissolution of the marriage, left many of them destitute. This in turn triggered the vicious circle of poverty, child betrothal, etc.

73. Indicators relating to the protection of the family, mothers and children should encompass both the integrity rights of the individual and the socio-economic rights. They should be adequately disaggregated by gender and age subgroups to permit assessments of the size and significance of observed disparities and include time-series data to assess the development of these disparities over time.

74. A wide range of indicators were suggested which could reveal the extent to which the family, mothers and children were protected both within and outside the law. These included:

(a) Registration of marriage (including data on age of bride);

(b) The right for women to own property;

(c) The obligation to maintain wife and children after divorce;

(d) Legal recognition of female-headed households;

(e) Reported cases of domestic violence and child abuse;

(f) Reported cases of child labour;

(g) Gender-nutritional and health-care neglect (including female infanticide and access to contraceptives);

(h) Gender equality in access to education;

(i) Prohibition of children taking part in armed conflicts;

(j) Provisions for migrant workers to reunite with their families in the countries of immigration;

(k) The right of the elderly and mentally disabled to live with their family (who could benefit from tax deductions).

75. Indicators such as the protection of women by labour legislation or access to social security were thought to be less useful because they excluded the vast majority of women who worked in the informal and subsistence sectors.

76. It was stated that family rights were one of the most contentious human rights, mainly because of its collective nature. As a result of this, the western traditional way of thinking had largely overprotected individuals within a family, instead of focusing on the family as an entity.

77. Intra-family inequities and lack of enforceable rights were stated to be major issues of human rights concern. It was further emphasized that legislation in this particular field should be preventive rather than curative.

G. Right to food

78. It was stated that indicators could have a role in formulating, implementing and evaluating measures taken by Governments to guarantee access to adequate food, in particular for especially vulnerable or disadvantaged groups, which at the same time could be part of a comprehensive domestic right to food plan. For this, the choice of indicators and, in particular, the choice of benchmarks would depend on the specific country situation.

79. In the area of food, however, the author of the background paper that was submitted under this agenda item thought that it was more urgent to focus on breaches of the human right to food, for which, in his opinion indicators would be less useful. Other participants argued that indicators on child mortality or malnutrition had had an enormous impact in the field of human rights and that indicators had a role to play, and not only in the descriptive sphere. Indicators were thought to be particularly useful in describing a social situation or a situation of deprivation and as a kind of background information and for this, it was stated, a large amount of data were readily available.

80. If indicators were going to be used to measure breaches of the right to food, one way would be to compare the existential status of a person with the normative content of the right to food, which was defined as having access to adequate food in a matter that was sustainable, culturally acceptable and respecting human dignity. A better way, however, would be to determine which state obligations had been breached.

81. States' obligations in the area of the right to food consisted of the obligation to respect (R), which required that the State not destroy existing access to food; the obligation to protect (P), which required that the State prevent third parties from destroying people's existing access to food; and the obligation to fulfil (F), which required that the State provide access to adequate food for those for whom such access had not existed.

82. Some participants stated that breaches of an R obligation could be detected with common sense and without the use of indicators. Determining failures of an F obligation required indicators which would go beyond the scope of the seminar, whereas these concerned the individual's right to fulfil the right to food.

83. Some participants brought up the subject of the right to food self-sufficiency, defined as the ability to generate one's own food in one's own country. The concept of food security, in their view, was an artificial invention. It was used by countries that had deliberately created large food surpluses which in case of famine were used as a tool of domination. As such they would act as the guarantor of the right to food.

84. In general, it was felt that indicators on the right to food would have to go beyond indicators on nutritional status and should include indicators on land- and income-distribution, job security and unemployment.

H. Right to adequate housing

85. It was stated that major deficiencies in available data and in the ability to collect data considerably hampered the possibilities of measuring the realization of the right to adequate housing. This had also hampered the ability of Governments to make informed choices concerning desirable housing.

86. It was stated that the right to housing was not only neglected as a human right but also that housing was increaringly viewed as a commodity with an exchange value and driven by the market of supply and demand rather than as a good that had to be produced and allocated outside of the market forces.

87. The United Nations Centre for Human Settlements (Habitat), in cooperation with the World Bank, had initiated a Housing Indicators Programme to develop housing indicators which were policy sensitive, transparent, relatively easy to collect and calculate on a regular basis and easily understood by policy makers, with a view to assisting Governments in broadening the institutional base for managing the housing sector. After a number of case studies, the programme had proposed and commenced careful testing on 10 key housing indicators divided into the following five groups: price indicators, quantity indicators, quality indicators, demand-side indicators and supply-side indicators.

88. Others stated that housing should be taken out of the narrow conception of "shelter" and focus on "living conditions". Housing was more than merely "four walls and a roof", but could be formulated as "people's struggle to find and retain a secure place to live in dignity" or as "a fundamental means by which community and social relations are built". Reference was made in this respect to General Comment No. 4 adopted in December 1991 by the Committee on Economic, Social and Cultural Rights.

89. The right to housing was inextricably linked to other economic, social and cultural rights and therefore needed an integrated approach. It was argued by some participants that this could be achieved by accepting the right to housing as an organizing principle of state policy, in relationship with the inviolable postulates that had been formulated before and through which

consequent rights such as health, safe environment and livelihood would be addressed. Some of these postulates had core indicators that could be utilized to determine whether States parties were taking steps.

90. For the principle of equality in land relations, security of tenure, the state of evictions and the state of landlessness could be used as core indicators while for the principle of a healthy living environment the state of living conditions and the state of natural resources could be used as core indicators.

91. Possible indicators in the field of adequate housing should be articulated both as a measure of assessing the scale of violations, the denial and deprivation of the right to housing as well as of exploring means by which the progressive realization of this right would be possible. It was stated that housing rights' violations were created and perpetrated by the economic, social and cultural as well as by the civil and political structural inequities in societies. It was added that violations should always be seen in connection with Governments' responsibilities. Other indicators that were suggested were the status of homelessness, taxation and inheritance provisions. The indicator of a Government's expenditure on housing was thought to be less reliable due to the increase of privatization in this sector.

92. There was an extensive debate on the role of the Government. Some stated that the Government should principally become a guarantor of rights, instead of playing a mere "welfare" or "facilitator" role. Others thought that the role of the Government was not so much to provide but to create conditions. Others warned against what they called the trap of community services in the area of housing, such as self-construction. This approach took away all the responsibility of Governments in this area.

I. Right to education

93. It was stated that a vast panorama of statistical indicators existed in the field of education, which could be grouped as follows:

(a) Indicators of coverage which determined to what extent a particular population group had access to the corresponding level of education;

(b) Indicators of internal efficiency which determined the capacity of the educational system to guarantee a particular educational level;

(c) Quality indicators which measured the characteristics of educational training, including its connection to the labour market;

(d) Institutional administrative and financial indicators whose purpose was to define the organizational characteristics of the educational system.

94. As for the relevance and functionality of these indicators in the field of human rights, it was stated that they had a purely descriptive value and were used merely as a tool in formulating policies and development models and to respond to contemporary social changes. As such they often led to the

situation of countries adopting behaviour patterns as well as specific models of development and social organization which were not attuned to the needs and did not help to solve the most serious problems caused by non-recognition of the right to education.

95. Educational indicators could be used to determine the extent to which the right to education had been realized but not to explain why and how, nor could they identify factors that had determined a particular situation. If educational indicators were given a role to play in assessing the realization of the right to education they had to be reconsidered as far as causal explanations were concerned, e.g. the relationship between illiteracy rates and primary education coverages.

96. It was suggested that educational indicators should be intended primarily to guarantee and give effect to the right to education. They should be attuned to specific national characteristics.

97. It was argued that there was an urgent need to reconsider the role of indicators in assessing contemporary social changes. Particular account should be taken in this respect of the decline of State participation in educational programmes and the privatization in this sector. It was stated that because of this fact, measuring the level of public expenditure on education could not be considered as a reliable indicator.

98. Many participants expressed concern about this approach and thought that the responsibility and the role of the State in the field of education should continue to be emphasized. Others referred to the freedom of choice of education. It was also pointed out that in some societies where a certain self-help structure existed in the field of education, e.g. local communities which themselves had to provide for the infrastructure of a school whereupon the Government would provide them with teachers and textbooks, this had led to the unwelcome situation that the poorest segments of society were not reached by education.

99. Participants cautioned that educational data cold not be simply transposed into human rights indicators, such as comparing literacy rates with the realization of the right to education, and underlined the need to reconceptualize these data from a human rights point of view.

J. Right to take part in cultural life and to enjoy the benefits of scientific progress and to benefit from the protection of the interests of authors

100. The debate focused on the first aspect of article 15, the right to take part in cultural life. The meeting felt that it was rather premature to set indicators in this particular field, since further articulation remained to be done about the conceptual basis of cultural rights. On the other hand, it was felt that statistical information could help in revealing the disparity between needs and achievements, which was thought to be the greatest in the field of culture, by virtue of its very dynamism and diversity.

101. It was pointed out that existing statistical data were not always useful in a human rights context, where principles of non-discrimination and

equitable access prevailed. Knowing the number of radios per 1,000 population did not tell much about the distribution or accessibility of these radios to particular groups in society, nor did the number of restaurants enlighten about the freedom of people with disabilities to eat there.

102. It was stated that the right to take part in cultural life was closely linked to that of other rights and freedoms, such as the freedom of expression, the right to participate, the principle of non-discrimination and the rights of minorities to maintain their cultural integrity, and that therefore a holistic approach was warranted. It was also stated that by its nature the right to take part in cultural life was both an individual right and a group right. In this respect it was added that denial of cultural rights to some, such as indigenous peoples, affected their very survival and way of life.

103. It was said that the realization of the right to take part in cultural life depended largely on State action but that in reality the role of non-State actors appeared to be of equal importance.

104. It was stated that if indicators were to be used in monitoring State compliance with the Covenant, first the scope and nature of State obligations should be assessed. State obligations to respect and promote the right to take part in cultural life would lay in the field of articulating protective laws on the basis of the legal obligations imposed by the Covenant and by including human rights criteria and principles in policy-making at all levels. In addition, it was suggested that States needed to review the situation of the enjoyment of cultural rights in their own country, to identify obstacles and to set targets and strategies for their removal. Measuring of the adequacy of the policy could be done by the Committee on Economic, Social and Cultural Rights. It was recommended that the Committee develop human rights criteria which should be adhered to by States in designing their cultural policy and in implementing their steps towards the full realization of the right to take part in cultural life.

105. Some participants thought that in the area of cultural rights there was a need for indicators measuring violations of rights. Others thought that of crucial importance was the State obligation to protect against non-State actors. In this respect people also referred to the fact that under the pretext of protection, certain cultural values were relegated as if they were merely folkloric acts.

106. It was finally stated that because of its nature, cultural rights should be approached with the use of qualitative indicators.

K. Participation

107. It was stated that economic, social and cultural rights appeared to lend themselves easily to quantitative measures, such as the number of persons who had received primary education. Even if this were the case, it was suggested that a distinction should be made between indicators on inputs, throughputs and outputs. It would be easier to quantify the inputs or conditions such as

public spending on schools and throughputs or activities such as the number of children enrolled than their outputs or results, such as the extent to which children had been educated satisfactorily.

108. It was further postulated that quantitative measures implicitly adopted a single cultural/contextual standard of comparison while output measures should be chosen carefully to be valid cross-culturally. Quantitative measures obscured the qualitative and subjective nature of human rights and it was thought that "quality" as the extent to which a particular right was consistent with people's own wishes, values and goals would be a better measure of the social and political significance of perceived inequalities.

109. An indirect way of capturing the qualitative aspect of the enjoyment of human rights would be to measure the extent to which relevant social groups had participated in the design, implementation and evaluation of social programmes. Measuring participation could be done at three levels: measuring the conditions, the activities and the results of participation. The first two levels would fall short of proving that participation had affected relevant decisions, while the latter could be assessed as the extent to which genuine public participation had been incorporated in the preparation of the periodic reports of States parties to the Committee on Economic, Social and Cultural Rights. This could be a first step towards a more open transparent and democratic process for realizing economic, social and cultural rights.

110. Participants argued that participation was not a subjective exercise, nor only related to decision-making. Participation meant empowerment, which could only be effected through the bottom-up approach. Others thought that participation also depended on other variables, such as the creation of conditions under which decision-making could take place. This entailed not only community empowerment, but also community management, which consisted of the ability of a community to resolve its problems, which for its part depended on the size of the problem to be decided on as well as on external factors such as knowledge.

111. It was underlined that participation tended to be attributed to the field of political rights, while it was of primary importance for the realization of economic, social and cultural rights, e.g. in the field of health or education.

112. It was thought that participation should be approached from two levels, that of political participation and that of developmental participation. For the former, the view was expressed that clear standards in the field of representative and participatory democracy had been set in the relevant human rights instruments and efforts should be made to underline the fact that the sole authority of a Government was on the basis of the will of the people. As far as the participatory element in development was concerned, it was stated that the international development agencies, including well-meaning northern non-governmental organizations, should actively build in participation in their project planning, to back up the rhetorical use of participation in their publications.

IV. WAYS TO INSTITUTIONALIZE THE USE OF INDICATORS WITHIN THE HUMAN RIGHTS PROGRAMME OF THE CENTRE FOR HUMAN RIGHTS

113. This subject was not debated at length. Instead, the meeting focused on how, at a national level, human rights could be translated into development policies, following the parameters of the background paper which was prepared for this agenda item.

A. Human rights and development

114. From the outset it was stated that because development, defined as the economic and social policies which intergovernmental development finance agencies and individual Governments pursued, would not appear to be conducive to the promotion and protection of human rights, human rights ought to be translated into development policies, programmes and projects. It was also stated that the realm of development had so far remained immune from demands for democratization and that development had to be subsumed under the rule of law if economic and social rights were to become effectively applicable.

115. It was underlined that the primary responsibility of both development and human rights, lay with the State and that as a starting-point the Charter of the United Nations could be used under which Governments had committed themselves to promote human rights and development. However, human rights were not automatically an outcome of development. People were not equal and human rights were an attempt to redress those inequalities. Moreover, human rights were thought to be an essential measure of empowerment, with the main purpose of preventing the abuse of power by those who had it.

116. Indicators that were developed in accordance with the international human rights treaties and with the obligations of a Government as their point of departure could capture a Government's willingness and capacity to protect and promote human rights as well as assist in dissociating the unwillingness from the incapacity of Governments to do so.

B. Commitment to human rights

117. It was stated that to assess a Government's performance in the field of economic, social and cultural rights, first of all it had to be defined what Governments were required to do and then compare this to what they were willing and able to do, demonstrated by their efforts and accomplishments. Indicators to measure a Government's commitment to human rights could be grouped as follows: access to international instruments and national legal recognition of human rights; creating an enabling environment; the formulation of human rights strategies, including target-setting and establishment of benchmarks; the collection of baseline data on people and the development of response mechanisms to address progress or retrogression of human rights.

118. It was stated that resource constraints ought to be recognized by the international community with respect to the promotion and protection of economic, social and cultural rights. The lack of enjoyment of human rights did not result from violations only. A Government might be simply incapable of guaranteeing a specific right. It was argued that, for example in the field of education, if a Government was willing to subsidize schools for children whose parents could not pay the fees, it complied with its obligations under the Covenant.

C. Enabling environment

119. As regards the enabling environment or the suggested do-it-yourself approach, many thought that although this could lead to empowerment and self-determination of local groups and communities, it could also imply an absolute denial of any State responsibility, which was not in line with the human rights approach. It was stated that the obligations of States to allocate resources for people's development as well as to address redistribution of income should continue to be stressed. If States did not fulfil this obligation, it might lead to armed conflicts.

120. It was also thought that it would be a rather delicate matter to postulate that all education should not necessarily be free, except where to protect the vulnerable. It was argued that it had taken a long time to achieve the understanding of the human rights aspect that all primary education should be free and compulsory for all.

121. It was argued that governmental expenditure on health or education, which was often suggested as a proxy indicator for measuring the realization of these rights, did not reflect a Government's lack of commitment but a condition of international development finance, e.g. structural adjustment programmes. It was also stated that the correlation between the level of government expenditure and the actual outcome was not unidimensional. Although in certain countries the resources available to public education had shrunk, school enrolments at all levels had increased steadily because of a rapid expansion of private education.

D. Human rights strategies

122. As regards the development of national human rights strategies, some feared that this would lead to "opening the door to homicide of human rights". It could lead to the danger of renegotiating how human rights should be implemented. Other participants thought that such strategies could be most useful and thought that they could be annexed to existing strategies such as the WHO strategy of Health for All by the Year 2000.

123. It was underlined that setting goals was necessary for measuring progress but that these should always be linked to the resources that were required to address perceived shortcomings. It was also thought that, contrary to the development context, it would be difficult to set goals for human rights.

124. Others pointed to the ambiguity between the ultimate goal of realization of economic, social and cultural rights and the responsibility of the State to achieve their implementation. Part of the State's obligation was precisely to do so. Indicators could measure the success of the full realization as well as the steps that were taken by States in the context of their legal obligations, as well as address the question of whether Governments had set policy targets.

E. Institutionalization of indicators

125. Institutionalization of indicators within the field of human rights should include addressing treaty monitoring bodies, including massive efforts by non-governmental organizations to address developmental agencies to work together with United Nations human rights bodies to develop measurements of development performance from the human rights perspective. This could be achieved by issuing human rights impact assessments; the development of mechanisms to ensure a better and more equitable distribution of benefits and burdens from a development project (which now too often tended to go to smaller groups to the detriment of larger groups); a performance evaluation (What does the project wish to achieve and how can it be held accountable for that?); and, especially in the case of bilateral relations, to assess human rights conditionalities and to redress neglect in areas of indifference.

V. ECONOMIC, SOCIAL AND CULTURAL RIGHTS AND THE USE OF INDICTORS

A. Potential use of indicators

126. In the view of various participants, indicators could serve human rights objectives in promoting the realization of economic, social and cultural rights as well as in assisting in the protection and prevention of human rights violations by identifying violations and violators. Some participants thought that indicators could be a most useful role in evaluating (negative) violations of human rights together with (positive) developments.

127. It was thought that although the use of statistical indicators in the area of human rights had severe imperfections, data remained an important instrument in the field of economic, social and cultural rights, such as in providing accurate background information. It was, however, underlined that in a world which was not beset by a lack of indicators, the question of the significance of the use of indicators in the field of human rights should continue to be asked: is it necessary to make the human condition the subject of quantitative measuring; for what reason and under whose responsibility do we measure; what is the objective and does this help anybody?

1. Monitoring

128. It was thought that indicators could have a role in monitoring States' compliance with the International Covenant on Economic, Social and Cultural Rights, especially if they could capture changes over time. Others stated that indicators were only one form of monitoring mechanisms and that the debate and analysis of the periodic reports that were submitted under articles 16 and 17 of the Covenant were other ways of monitoring.

2. Measuring progress/identifying obstacles

129. It was felt that indicators could be particularly useful in measuring progress over time and in revealing the extent to which certain rights in practice either were or were not enjoyed and in providing a method for determining problems encountered by States in fulfilling these rights. It was stated that existing statistical data might provide useful background information when measuring realization, but should always be supplemented with

appropriate human rights criteria. Indicators could also assist Governments in setting targets which they would like to achieve and in measuring the level of achievements.

3. Determining violations

130. Many participants expressed doubts about the need to use indicators in the case of violations. Where violations of human rights were obvious and where the common sense to recognize victims of human rights violations existed, this should not be marginalized by the use of complex indicators. When violations were witnessed there was no need for any further delay in gathering data for assessing these violations. It was also stated that because of the wording "progressive realization" it was particularly difficult to assess violations of the International Covenant on Economic, Social and Cultural Rights. In this connection, others argued that the Limburg Principles had identified several general acts and omissions which could be seen as violations of the Covenant.

131. Participants referred to the general discussion on indicators which had been held by the Committee on Economic, Social and Cultural Rights during its sixth session and during which, inter alia, the question was raised whether it was possible to set certain threshold levels beyond which a violation could be said to have occurred.

132. It was also stated that non-governmental organizations had the task to collect data on violations of economic, social and cultural rights, which had to be processed and analysed and on the basis of which Governments could comment and supplement information.

4. Core indictors

133. Many felt that there was a pressing need for the development of core indicators in the field of economic, social and cultural rights, which would help to operationalize existing human rights standards. The advantage of core indicators would be to capture real life with only four or five of them, in contrary to a wide range of individual indicators. It was stated that any use or refinement of core indicators should be consistent with minimum core obligations and minimum essential levels of satisfaction or core requirements under the International Covenant on Economic, Social and Cultural Rights.

134. Other participants expressed their serious concern about the use of core requirements, which they thought implied, inter alia, defining what could be left out and rewriting the Covenant at a lower level. This was a matter of standard-setting, which was not a task of the seminar.

135. It was stated that inherent in the inviolable postulates were core indicators that could be utilized to determine whether States parties had created conditions for the attainment of particular rights. Conversely, for each of the core indicators the inviolable postulates could serve as benchmarks against which compliance could be measured.

5. Active participation at the grass-roots level

136. For the design, application and evaluation of indicators the role of non-governmental organizations was underlined. For the collection of data the active participation of those whose collaboration was considered to be essential to addressing the problems which the indicators sought to measure was emphasized. In this respect it was stated that, contrary to most human rights activists who were Western-trained lawyers and firm believers in the rule of law, the majority of the action groups in the field of development were non-lawyers dealing with economic, social and cultural rights issues which they, however, did not realize. The enhancement of awareness of these groups should be vigorously pursued.

6. Early warning

137. It was argued that for developing indicators in the field of human rights, the focus should be on indicators that could be used to assess preventive measures rather than curative, e.g. the provision of adequate food and clean drinking water or access to family planning education and services.

138. It was stated that indicators had an important role to play in identifying the causes which lay behind economic and social problems. It was suggested that the human rights field could particularly benefit from the development of indicators of a more preventive nature and to orientate itself towards devising "leading indicators" or "early warning systems". In the case of infant and child mortality, mortality indicators said nothing per se about the causes of a child's failure to survive although they did focus on the failures of systems to ensure a child's right to survive. Measuring provisions such as "appropriate pre-natal and post-natal health care for mothers" (as laid down in article 24 of the Convention on the Rights of the Child) could be a better way to deal with the problems of child mortality. As regards the "missing women" in statistics, indicators could be used as an early warning system to indicate that in some countries a severe neglect of girls and women existed.

B. Limitations in the use of indicators

139. A number of obstacles were identified in the indicators approach such as the lack of definition and conceptualization of certain economic, social and cultural rights; problems with data collection including biased data and fear of manipulation of data; matters of comparativity and international comparability; fear of punitive use of indicators, including rating and rankings; universal applicability; the discrepancy between intention and actual performance of Governments and inadequacies in States' self-reporting approach.

140. It was questioned how critical human rights elements such as state of governance, non-discrimination, acknowledgement of human rights, causalities, security and dignity could be assimilated by indicators. Extreme caution was expressed concerning the search for magic indicators as well as quantitative fetishism. It was stated that numbers were required only as necessary for the

purpose at hand and that statisticians were merely partners. Statistical information was important, but non-statistical information was important, as was judgement.

141. Some participants questioned what the answer would be in case indicators revealed serious shortcomings, especially if these were identified across the board. They underlined the need to take into consideration the financial implications of redressing violations of economic, social and cultural rights as well as the necessity to prioritize the needs that were most critical, which was usually the approach that was taken in the field of development.

1. Definition and conceptualization of rights

142. A clear definition and consensus of what had to be assessed was considered to be a conditio sine qua non for the use of indicators. On numerous occasions the fact was brought up that some economic, social and cultural rights needed more conceptualization, which in itself was seen as a limitation in the use and application of indicators. Although some thought that there was more need for standard setting and further elaboration of certain categories, others thought that human rights standards were firmly in place. It was questioned how disaggregation could be achieved if some rights were not well defined, such as was the case of cultural rights.

143. It was argued that for the understanding of human rights it should be acknowledged that the definition of the contents of human rights should come from the grass-roots level, and similarly that rights could not be imposed from above.

2. Limitations with respect to data

144. It was thought that the fundamental limitations that existed in the use of indicators in general, such as validity, reliability, objectivity, sensitivity, relativity, availability of data, disaggregation and comparability were the major limitations in the use and applicability of indicators in the field of human rights. In particular it was underlined that urgent attention should be given to the question of who collected and kept the data, who processed, stored and had access. Other factors that were thought to be particularly cumbersome were the manipulation of data and the provision and use of biased data. Concern was also expressed at the interpretation of data, which was considered to be extremely difficult if not done within a context of other non-quantitative information, such as interviews or on-the-spot observation. Data that depended on self-reporting, which was the case with the periodic reports submitted under the Covenant, were considered to be especially unreliable because they easily led to misinterpretation of the actual conditions in a given situation or society. It was reiterated that some of the most crucial indicators on economic, social and cultural rights, such as homelessness, income distribution and landlessness, were not collected either by States or by the international agencies.

145. Some argued that indicators could only be developed if data were readily available. Others argued the opposite and stated that if an indicator proved to be conceptually sound, it should be used because the data and statistics would automatically follow.

146. It was pointed out that indicators in the field of human rights should be as action oriented and as policy relevant as possible, particularly because developing countries worked with limited resources in collecting and monitoring data. For human rights, the outcome-oriented or impact indicators were considered to be especially important, more so that the process or input indicators.

3. Development versus human rights

147. The meeting revealed serious differences in the perception of indicators between the human rights experts on the one hand and the development experts on the other. Some participants thought that with necessary changes development or performance indicators could be used to measure the realization of economic, social and cultural rights. Others were less optimistic and thought that statistically based indicators contrasted with the human rights approach which viewed indicators much more as a basis for reasoning and as a means for developing criteria for States' compliance with the International Covenant on Economic, Social and Cultural Rights. It was felt by some participants that precisely this difference in the perception of human rights indicators remained a significant hurdle.

4. Punitive use of indicators

148. Many felt uncomfortable with the use of indicators in the field of human rights because it was feared that they could be used for purposes other than those for which they were meant. This fear of punitive use of indicators was in particular addressed to the ranking and rating of countries or country performance indices which some of the international agencies had started to do in their publications.

149. The absurdity of weighing systems was addressed, and in this respect the arbitrariness of criteria that were used in such exercises.

C. Database

150. Some participants pleaded strongly for the establishment of a computerized database in the field of economic, social and cultural rights. In their view this was a basic requirement if indicators were to play a role in assessing the realization of economic, social and cultural rights and especially in analysing data on a disaggregated and time-series basis. In their opinion, a large amount of relevant statistical information was readily available with the specialized agencies to which the database should have access. Others thought that it would be premature to set up such a database because there was a lack of data or of reliable data. Data had to be collected at the national level and would in the case of developing countries require technical assistance, which might be provided by the specialized agencies or other United Nations bodies. It was stated that the supervisory bodies of the International Labour Organisation made ample use of indicators on the basis of statistical information but in the end the results of evaluation of compliance with human rights standards was a balanced assessment and largely a matter of legal analysis.

151. It was stated that the publication The World's Women: Trends and Statistics, was a good example of a user-producer product. The first step had been to set up a database on the basis of a system-wide inventory of indicators. The data which had not been available had been actively sought and obtained. All this had been done with the Convention on the Elimination of All Forms of Discrimination against Women and the Nairobi Forward-looking Strategies for the Advancement of Women as a starting point.

VI. CONCLUSIONS AND RECOMMENDATIONS

A. General observations

152. The Seminar on appropriate indicators to measure achievements in the progressive realization of economic, social and cultural rights was convened at the recommendation of the Special Rapporteur on the realization of economic, social and cultural rights appointed by the Sub-Commission on Prevention of Discrimination and Protection of Minorities. 1/ The Special Rapporteur recommended that any attempt at using indicators as a means of measuring or assessing human rights should be based on and be consistent with the rights contained in, inter alia, the International Covenant on Economic, Social and Cultural Rights, the Covenant on Civil and Political Rights and the Universal Declaration of Human Rights and that any indicators chosen for use in this manner should be in line with the legal definitions and content given to certain rights by the United Nations as a whole and the treaty bodies in particular. In regard to the latter, indicators should be consistent with the guidelines for States reports under each of the main human rights treaties.

153. With respect to the suggestions by the Special Rapporteur, the seminar concluded that the first priority was to identify and clarify the content of the various rights and obligations. Only then would it be possible to identify the most appropriate way to assess progressive achievement, which may or may not involve the use of statistical indicators.

154. The starting point for discussions on criteria and indicators for measuring the realization of economic, social and cultural rights must be fundamental human rights principles such as the security and physical integrity of the human person, the principle of non-discrimination, empowerment, participation, the equality of women and men, and a particular emphasis on the vulnerable and disadvantaged.

155. The interdependence and indivisibility of all human rights, be they economic, social, cultural, civil or political, was strongly reasserted. Similarly, it was stressed that the rights contained within the International Covenant on Economic, Social and Cultural Rights are interdependent and capable of realization only if seen and treated as indivisible. This principle should be recognized at all levels of discussion about measuring the realization of human rights.

156. The importance of the concept of the universality of human rights was strongly reaffirmed. Nevertheless, in terms of measuring the realization of

economic, social and cultural rights it was recognized that indicators should be sensitive to specific national and regional characteristics, bearing in mind cultural and socio-economic diversity.

157. The seminar expressed its concern about the continued neglect of economic, social and cultural rights within the United Nations system and by States parties to the International Covenant on Economic, Social and Cultural Rights. Failure to invest sufficient attention and resources in economic, social and cultural rights has resulted in their conceptual underdevelopment and a lack of progressive realization of specific rights in many countries.

158. The seminar expressed its regret at the absence of representatives of the World Bank, the Food and Agriculture Organization of the United Nations and the International Fund for Agricultural Development.

159. As part of the process of developing indicators to measure the progressive realization of economic, social and cultural rights, it was concluded that additional work is required in particular to:

(a) Clarify the nature, scope and contents of specific rights enumerated in the Covenant;

(b) Define more precisely the content of the specific rights, including the immediate core obligations of States parties to ensure the satisfaction of, at the very least, minimum essential levels of each of these rights; 2/

(c) Identify the immediate steps to be taken by States parties to facilitate compliance with their legal obligations toward the full realization of these rights, including the duty to ensure respect for minimum subsistence rights for all. 3/

This should be done in accordance with the normative developments at other international human rights fora as well as with the general principles of international law.

160. Monitoring States parties' performance in the progressive realization of economic, social and cultural rights requires new approaches in data collection, analysis, and interpretation. It requires a particular focus on the status of the poor and disadvantaged groups, best achieved through disaggregated data collected at national, regional, and local levels. Specifically, further analysis and disaggregation of statistical data are needed for such variables as gender; socio-economic groups; ethnic, racial, and linguistic communities; urban-rural divisions and geographic region.

161. Two separate but related types of determinations are necessary: the first relates to the current situation as well as progress and/or decline in economic and social development; the second is to assess the extent of fulfilment of States parties' obligations under the Covenant. The former falls primarily under the responsibility of States and within the work of international development cooperation agencies. The second falls within the mandate of the Committee on Economic, Social and Cultural Rights as a human rights treaty body.

162. In the context of economic, social and cultural rights a holistic approach is indispensable. This requires recognition of group rights as well as those of individuals; attention to State and societal obligations as well as violations; and the use of human rights criteria as a proactive framework for policy-making.

163. The seminar emphasized that any further articulation of the contents of economic, social and cultural rights should fully reflect and correspond to the aspirations of grass-roots communities struggling for the realization of these rights.

164. It was urged that problems of the inadequacy of data and its collection should not preclude action to deal with obvious problems for which qualitative or quantitative data were readily available.

165. It is vital that the information used to assess the realization of economic, social and cultural rights be derived from a wide range of sources and not be limited solely to information supplied by States parties. Apart from Governments and specialized agencies, non-governmental organizations should continue to play a vital role in supplying such information, and particular efforts should be made to gather information from groups most affected by the non-realization of economic, social and cultural rights.

166. The seminar emphasized that many breaches of economic, social and cultural rights can be fairly easily recognized without the extensive use of specific statistical indicators, e.g. the obvious failure of States individually and through international cooperation to take immediate steps to the maximum of their available resources to implement the right to food, education, housing and primary health care.

167. In the evaluation of economic and social development, consideration should be given to external factors relating to the prevailing international economic and political environment. The seminar noted serious concerns regarding the impact of development projects and policies of the World Bank and International Monetary Fund policies of structural adjustment on the enjoyment of human rights as well as of other inappropriate or destructive development strategies.

B. Scope and limitations of the application of indicators

168. It was recognized that the term "indicators" may be used and interpreted in different ways. "Indicators" may refer to those economic and social statistical data currently utilized by United Nations agencies and other international bodies. The term "indicators" may equally denote information, including statistical data, required or useful in assessing realization of economic, social and cultural rights and State's compliance with Covenant obligations. An important prerequisite for selecting appropriate indicators is the precise identification of what needs to be assessed.

169. After extensive discussion concerning the scope, limitations and present feasibility of the use of indicators, it was concluded that statistical data have a role to play in providing background in the work in relationship to the realization of economic, social and cultural rights.

170. At times it may be premature or inappropriate to apply quantifiable indicators. Not all indicators can be expressed in purely numerical terms. It is, therefore, important to develop as well criteria, principles or standards for the assessment of realization of economic, social and cultural rights.

171. It was emphasized that human rights indicators are not necessarily synonymous with development indicators. Available statistical indicators need to be assessed in terms of their usefulness and appropriateness in measuring economic, social and cultural rights. Statistical indicators currently utilized by specialized agencies to measure economic and social development may not be appropriate for monitoring State's compliance with their obligations under the Covenant, particularly with regard to the vulnerable and most disadvantaged sectors of society. The use of statistical indicators in evaluating human rights compliance will require a reanalysis from a human rights perspective.

172. The seminar recognized a need to develop new human rights indicators based on the content of each economic, social and cultural right.

173. Indicators should do more than just present static situations. They should be action oriented: facilitate evaluation and measurement of progress, address obstacles to the enjoyment of economic, social and cultural rights, and identify appropriate remedial action.

174. Considerable concern was expressed about UNDP's Human Development Index and its Human Freedom Index which were seen as arbitrary in the criteria upon which they are based and largely inconsistent with the indivisibility and interdependence of rights under human rights law.

175. The concept of core indicators appears to be a valuable contribution. Considerably more reflection and analysis are necessary, however, before they can be identified. Such a process of reflection may begin within specialized agencies or treaty bodies, but the vital contribution of experts and non-governmental organizations should not be overlooked and should in fact be encouraged.

176. Difficulties arise in selecting core indicators for the specific economic, social and cultural rights because some of these rights still await clarification as to their precise content and as to the precise nature of States parties' obligations in respect of such rights.

177. The seminar realized that it was not in a position to draw up either core or comprehensive indicators for each economic, social and cultural right. However, the seminar made significant progress in respect of certain specific economic, social and cultural rights (e.g. housing and work).

178. The seminar noted the large amount of available information and data that already exist within the United Nations system, but stressed the need for much more effective cooperation among specialized agencies and treaty bodies for the fuller utilization of such information in respect of economic, social and cultural rights.

179. In many cases development indicators currently available are inadequate or inappropriate to human rights assessment whereas data which could be useful in determining the level of enjoyment of a particular right are currently neither available nor collected.

180. There is a need to depoliticize the use of indicators. One way to do so would be to differentiate between different gradations of violations: violations resulting from wilful discrimination on the part of Government; violations reflecting the inability of States to carry out their obligations; and violations related to State indifference or neglect. Abuses resulting from wilful actions on the part of Government deserve censure. Violations reflecting the inability of States to carry out their obligations may be addressed through technical assistance initiatives to develop improved capacity. Efforts to rectify State indifference or neglect is an appropriate role for United Nations agencies.

C. Recommendations

1. Objectives

181. To promote the progressive realization of economic, social and cultural rights, it is necessary to pursue the following objectives:

(a) There is a need to clarify the content of specific rights;

(b) There is a need to clarify the nature of States parties' obligations;

(c) There is a need for States to develop plans to promote the progressive realization of each of the rights;

(d) There is a need to improve evaluation and monitoring of progressive realization;

(e) There is a need to identify and address violations;

(f) There is a need to institute improved cooperation within the United Nations system;

(g) There is a need to facilitate the participation of non-governmental organizations and affected communities in each of the tasks outlined above;

(h) There is a need to apply scientific statistical methodologies.

2. General recommendations

182. The seminar calls for remedying the continuing neglect of economic, social and cultural rights. It strongly recommends that the United Nations system, including the specialized agencies, Governments and non-governmental organizations accord the attention and invest the resources necessary to promote the progressive realization of economic, social and cultural rights.

183. The seminar recommends that priority be given to defining the content and clarifying the obligations related to specific economic, social and cultural rights. Further intellectual development of the rights is necessary to be able to determine the most appropriate way to assess progressive achievement.

184. The seminar recognizes the key and indispensable role played by non-governmental organizations in bringing forward concerns arising from economic, social and cultural rights. It urges that non-governmental organizations become even more involved with the conceptual development and monitoring of these rights.

185. There is a need to develop data and information consistent with a human rights approach to enable assessment of the progressive realization of economic, social and cultural rights. The seminar recommends that greater priority should be given to the collection and interpretation of appropriately disaggregated data from a wide range of sources, including governments, non-governmental organizations, academic and research institutions, and in particular from the groups most affected by the non-realization of these rights. Attention should also be given to the preparation of case studies to supplement statistical data.

186. The seminar recommends that an inventory be developed of statistical data collected by the Statistical Division of the United Nations Secretariat, specialized agencies, and international financial bodies relevant to assessing the progressive realization of economic, social and cultural rights in specific countries.

187. Utilizing indicators on a scientific basis for purposes of assessing the realization of economic, social and cultural rights will require the development of an appropriate information management system, including computerization, for evaluating a complex series of data on a disaggregated and time-series basis. The computerized information system should be designed in such a manner that it provides access to statistical data collected by the United Nations system, including the specialized agencies, stores and cross-references States parties' reports to the human rights treaty monitoring bodies and facilitates the organization and cross-referencing of both statistical data and States parties' reports on a country basis.

188. The seminar recommends that the question of indicators to evaluate both economic and social development and the achievement of economic, social and cultural rights be considered by the World Conference on Human Rights (1993) and by the Social Summit (1995).

3. United Nations bodies including the specialized agencies

189. The Seminar recommends that United Nations Children's Fund, United Nations Population Fund, International Labour Organisation, United Nations Educational, Scientific and Cultural Organization, World Health Organization, and other United Nations specialized agencies should seek to contribute to the intellectual development of human rights covered by their mandates, including the identification of appropriate indicators. This should be done in close cooperation with any special rapporteurs appointed, the

United Nations human rights bodies and relevant non-governmental organizations. In particular, the specialized agencies should strengthen their cooperation with the Committee on Economic, Social and Cultural Rights.

190. The seminar recommends that each of the United Nations bodies and specialized agencies consider the role of human rights in guiding their work, in particular by devoting attention to this subject in their annual conferences or assemblies. It also recommends that the findings should be widely disseminated in order to keep all United Nations bodies and agencies well informed.

191. Steps should be taken to strengthen the partnership between United Nations agencies (including the financial institutions), other international organizations, research institutes, non-governmental organizations and others so that they might share resources and work jointly to identify what precisely needs to be measured and the most appropriate methods and techniques for doing so.

192. The seminar recommends that the Department of Economic and Social Information and Policy Analysis and the Statistical Division of the United Nations Secretariat assist in the provision of statistics and research available at the international level and of expertise in methodology needed to develop improved statistics and indicators.

193. The seminar noted with interest the publication of The World's Women: Trends and Statistics, prepared by the Statistical Division in collaboration with the United Nations Division for the Advancement of Women, United Nations Children's Fund, United Nations Population Fund and United Nations Development Fund for Women. It recommends that similar publications on other economically and socially disadvantaged groups be prepared by the Statistical Division with the collaboration of appropriate United Nations bodies.

194. The seminar welcomes the appointment by the Sub-Commission on Prevention of Discrimination and Protection of Minorities of a special rapporteur on the right to adequate housing. It recommends that the Sub-Commission consider the appointment of additional special rapporteurs to study specific rights contained in the Covenant in greater depth, with a view to making recommendations to the Committee on Economic, Social and Cultural Rights on legal obligations under the Covenant, appropriate human rights indicators for monitoring compliance with the Covenant and information required for their effective monitoring.

195. The seminar recommends that the Committee on Economic, Social and Cultural Rights review and make use of these studies by special rapporteurs and specialized agencies to continue its work of adopting general comments on each of the rights enumerated in the Covenant and in revising its reporting guidelines for States parties.

196. The Committee on Economic, Social and Cultural Rights should further revise its guidelines in order to request States parties to develop plans with explicit goals for the progressive realization of each right. States parties should be encouraged to develop these plans through participatory processes.

197. The seminar recommends that the United Nations Centre for Human Rights facilitate the participation of non-governmental organizations in the work of the Committee on Economic, Social and Cultural Rights. This should include notifying non-governmental organizations with consultative status as to the schedule of country reports and inviting them to submit relevant data.

198. The seminar further recommends that the United Nations Centre for Human Rights make appropriate staff resources available to the Committee on Economic, Social and Cultural Rights. This should include the compilation and analysis of statistical data within the United Nations system relevant to the assessment of the progressive realization of economic, social and cultural rights for each country under review.

199. The seminar further recommends that the United Nations Centre for Human Rights make available expert assistance to States through its advisory services programme for purposes of developing mechanisms for monitoring and evaluating economic, social and cultural rights and of formulating appropriate plans for the implementation of economic, social and cultural rights.

200. The seminar recommends that the United Nations Centre for Human Rights convene a meeting of international financial institutions, United Nations specialized agencies, other United Nations bodies and relevant non-governmental organizations to initiate the process of formulating criteria for the elaboration of policies and development projects, within a human rights framework.

201. In view of the crucial role that the United Nations Centre for Human Rights is expected to play in the progressive realization of economic, social and cultural rights, it is important that adequate resources be made available to strengthen and professionalize its staff.

202. To achieve the objectives outlined in paragraph 181, particularly to continue to clarify the content of specific rights and the nature of States parties' obligations, as well as to achieve improved coordination within the United Nations system, the seminar recommends that the United Nations Centre for Human Rights convene an expert seminar or series of seminars, focused on specific economic, social and cultural rights, for representatives of specialized agencies, chairpersons of treaty monitoring bodies and non-governmental organizations collecting data relating to economic, social and cultural rights.

4. States

203. States should ensure that a serious commitment to human rights is reflected in all policies, allocation of resources and actions. Commitment to the full realization of economic, social and cultural rights is as fundamental a human rights principle as respect for equality between women and men, the principle of non-discrimination, individual freedom and autonomy, human dignity and cultural diversity, and democratic participation. Priority should be given to meeting the rights and needs of those people and communities who are socially, economically, politically and ecologically disadvantaged.

204. All States parties to the International Covenant on Economic, Social and Cultural Rights should ensure that documents relating to their national economic, social and cultural policies should restate their commitment to the rights contained in the Covenant, and ensure that the development and implementation of policies and legislation fully reflect their obligations under the Covenant.

205. The seminar recommends that States parties prepare plans with specific goals on the progressive realization of each right enumerated in the International Covenant on Economic, Social and Cultural Rights. In doing so, they should seek the active participation of communities affected by the nonrealization of these rights and from non-governmental organizations.

206. The seminar underscores that monitoring and reporting on the progressive realization of economic, social and cultural rights are obligations of States parties to the International Covenant on Economic, Social and Cultural Rights. To be able to fulfil these obligations, States parties should strengthen their data gathering and the statistical and analytical work that is needed to improve monitoring with the assistance of international experts when needed. It is particularly important that States have the capacity to disaggregate data in ways that will facilitate evaluating the status of the most vulnerable and disadvantaged groups and regions.

207. The seminar urges that States parties facilitate broad participation of non-governmental organizations in the preparation of reports to the Committee on Economic, Social and Cultural Rights.

Notes

1/ In its resolution 1988/33 of 1 September 1988, the Sub-Commission on Prevention of Discrimination and Protection of Minorities appointed Danilo Türk as Special Rapporteur with the task of preparing a study of problems, policies and progressive measures relating to the more effective realization of economic, social and cultural rights. At its forty-fifth session, the Commission on Human Rights (resolutions 1989/12 and 1989/13) welcomed the appointment of a Special Rapporteur on questions relating to the realization of economic, social and cultural rights and also requested that "in the above-mentioned study priority be given to identifying practical strategies to promote for everyone the economic, social and cultural rights contained in the [International] Covenant [on Economic, Social and Cultural Rights], paying particular attention to the most vulnerable and disadvantaged." Danilo Türk prepared a preliminary report (E/CN.4/Sub.2/1989/19), a working paper (E/CN.4/Sub.2/1991/WP.3), two progress reports (E/CN.4/Sub.2/1990/19 and E/CN.4/Sub.2/1991/17) and a final report (E/CN.4/Sub.2/1992/16).

2/ See General Comment No. 3 (1990) of the Committee on Economic, Social and Cultural Rights.

3/ See the Limburg Principles on the implementation of the International Covenant on Economic, Social and Cultural Rights. Human Rights Quarterly, vol. 9 (May 1987).

Annex I

LIST OF PARTICIPANTS

A. United Nations

Ms. Joan Vanek	United Nations Department of Economic and Social Development Coordinator, General Statistical Programme, Statistical Division
Mr. Anthony Woodfield	United Nations Department of Economic and Social Development Chief, Socio-Economic Trends Section
Mr. Deonanan Oodit	United Nations Department of Economic and Social Development
Mr. Lars Ludvigsen	United Nations Centre for Human Settlements (Habitat), Geneva
Mr. David Westendorff	United Nations Research Institute for Social Development Project Coordinator, Social Indicators
Mr. Jean Fabre	United Nations Development Programme Chief of Information Section, Geneva

B. Specialized agencies

Mr. Hamid Tabatabai	International Labour Office Senior Economist
Mr. Lee Swepston	International Labour Office Coordinator for Human Rights
Mr. Janusz Symonides	United Nations Educational, Scientific and Cultural Organization Director of the Division of Human Rights and Peace
Ms. Geneviève Pinet	World Health Organization Senior Legal Adviser
Mr. Stanislaw Orzeszyna	World Health Organization Medical Officer
Mr. Manuel Carballo	World Health Organization Medical Officer

C. Committees

Mr. Alexandre Muterahejuru	Committee on Economic, Social and Cultural Rights
Mr. Valery Kuznetsov	Committee on Economic, Social and Cultural Rights
Ms. Virginia Dandan	Committee on Economic, Social and Cultural Rights
Mr. Javier Wimer	Committee on Economic, Social and Cultural Rights
Ms. María Angeles Jímenez	Committee on Economic, Social and Cultural Rights
Mr. A.C. Gomes da Costa	Committee on the Rights of the Child
Mr. Swithun T. Mombeshora	Committee on the Rights of the Child
Ms. Marta Santos Pais	Committee on the Rights of the Child
Ms. Flora Eufemio	Committee on the Rights of the Child
Ms. Sandra Mason	Committee on the Rights of the Child

D. Individual experts

Mr. Robert Goldstein	Professor of Political Science, Oakland University
Mr. Turok	Director, Institute for African Alternatives, South Africa
Ms. Julia Hausermann	Executive Chair, Rights and Humanity
Mr. Rolf Künnemann	Secretary-General, Food First Information and Action Network (FIAN)
Mr. Clarence Dias	President, International Center for Law in Development
Ms. Audrey Chapman	Director, Science and Human Rights Programme, American Association for the Advancement of Science
Mr. Guy Ryder	Assistant Director, International Confederation of Free Trade Unions, Geneva Office
Ms. Katarina Tomasevski	Senior Research Associate, Danish Centre for Human Rights
Mr. Miloon Kothari	Joint Convener, National Campaign for Housing Rights, India
Mr. Victor Moncayo	University Professor, Latin-American Institute for Alternative Legal Services (ILSA)

Mr. Raj Srinivasan	Former Adviser to the Director-General, World Health Organization
Mr. Scott Leckie	Habitat International Coalition, Co-Director, Centre on Housing and Evictions
Mr. H. Fuenzalida-Puelma	General Counsel, Pan American Health Organization

E. Observer/non-governmental organizations

Mr. A. James Dilloway	International Humanist and Ethical Union
Ms. Barbara Lochbihler	Women's International League for Peace and Freedom
Ms. Janet Bruin	Women's International League for Peace and Freedom
Ms. Edith Ballantyne	Women's International League for Peace and Freedom
Ms. Veronica Mendizabel	Women's International League for Peace and Freedom
Ms. Lucinda Chiszar	Women's International League for Peace and Freedom
Ms. Eylah Kadjar-Hamouda	International Federation terre des Hommes
Ms. Ellen Lacourt	International Federation Terre des Hommes
Ms. Nicole Keller	International Federation Terre des Hommes
Ms. Maribel Wolf	International Federation Terre des Hommes
Mr. Walter Aschmoneit	International Federation Terre des Hommes
Mr. Alfred Fernandez	International Organization for Development of Freedom of Education (OIDEL)
Mr. Henry Bandier	International Council of Environmental Law (ICEL)
Mr. Henri Bossan	International Movement ATD-Quart Monde
Mr. Wytze Bos	Baha'i International Community

F. Other/Observers

Ms. Dalessandri Giuisi	University Assistant, Institute of International Law, University of Milan
Ms. Jo Boyden	Radda Barnen, Sweden

Mr. Inger Ostergren	Radda Barnen, Sweden
Ms. Gordana Ralev	Anti-Racism Information Service, Geneva
Ms. Caroline Mueller	Pathways to Peace
Ms. Cheri Ragaz	Lecturer, University of Zurich
Ms. Mona Ingers	Student, Institut d'études politiques, Paris

G. Secretariat - Centre for Human Rights

Mr. Ibrahima Fall	Assistant Secretary-General for Human Rights
Mr. Moctar Cisse	Chief, Prevention of Discrimination Section
Mr. Hans van Aggelen	Human Rights Officer
Ms. Marjolein Brouwer	Associate Human Rights Officer, Secretary of the Seminar
Ms. Joanna Gera	Intern
Ms. Helena Nygren	Intern
Mr. E. Fritz Kitcher	Secretary

Annex II

LIST OF DOCUMENTS

A. Papers presented by participants

Symbol: HR/GENEVA/1993/SEM

1. Socio-economic indicators and human rights, background paper prepared by the American Association for the Advancement of Science

2. The possible role of indicators in determining breaches of the right to food, prepared by Mr. Rolf Künnemann

3. The right to just and favourable conditions of work, prepared by Mr. Ben Turok

4. Monitoring and realizing the right to work, prepared by Mr. Clarence Dias

5. Measuring participation in the realization of human rights, prepared by Mr. Russell Barsh

6. The question of economic and social indicators, prepared Mr. Thomas Hammarberg

7. Reflections on indicators of the realization of the right to education, prepared by Messrs. Victor Manuel Moncayo and Fernando Royas

8. The right to the enjoyment of the highest possible degree of physical and mental health, prepared by Mr. Hernán Fuenzalida-Puelma

9. A note on indicators of economic and social rights, prepared by the secretariat of the Committee for Development Planning

10. Indicators for the protection of the family, mothers and children in Kenya, prepared by Ms. Shanyisa Anota Khasiani

11. Protection of the family, mothers and children, prepared by the United Nations Department of Economic and Social Development

12. Evaluation of the current level and manner of use of indicators within the various human rights organs of the United Nations, prepared by Mrs. Jímenez Butragueño

13. The need for entirely new indicators in assessing the realization of economic, social and cultural rights, prepared by Mr. Scott Leckie

14. The right to social security, prepared by Ms. Nelia Sancho Liao

15. Ways to institutionalize the use of indicators within the United Nations Human Rights Programme, prepared by Ms. Katarina Tomasevski

16. The human right to adequate housing: towards ideal indicators and realistic world views, prepared by Mr. Miloon Kothari

17. Appropriate indicators to measure the right to take part in cultural life, prepared by the United Nations Educational, Scientific and Cultural Organization

18. Obstacles to obtaining reliable indicators concerning economic, social and cultural rights, prepared by Robert J. Goldstein

19. Indicators to measure the realization of the right to health, prepared by the World Health Organization

20. Some general points concerning indicators within the field of human rights, prepared by the International Labour Office

21. The right to just and favourable conditions of work: possible indicators, prepared by the International Labour Office

22. The right to join and form the trade union of one's choice: potential indicators to measure its realization, prepared by the International Labour Office

23. Notes on the Human Development Index: Excerpts from the Human Development Report 1992, published by Oxford University Press on behalf of the United Nations Development Programme, New York, 1992

24. The right to form and join trade unions, prepared by the International Confederation of Free Trade Unions

25. The right to adequate housing (article 11) shelter sector performance indicators, prepared by Mr. Lars Ludvigsen

26. Reflections on indicators concerning the rights of the child: the development and human rights communities should get their acts together, prepared by Mr. James R. Himes

27. Indicators concerning the realization of the right to health: prepared by Mr. R. Srinivasan

28. The use of indicators to measure realization of the right to take part in cultural life, prepared by Ms. Julia Hausermann

B. Conference room papers, prepared by the secretariat

CRP.1 Social and economic indicators and their role in the realization of economic, social and cultural rights: excerpts from the study on the realization of economic, social and cultural rights on the basis of documents E/CN.4/Sub.2/1990/19, E/CN.4/Sub.2/1991/17 and E/CN.4/Sub.2/1992/16

CRP.2 Indicators and human rights: A bibliography.